

1 WRIGHT, FINLAY & ZAK, LLP
2 Christina V. Miller, Esq.
3 Nevada Bar No. 12448
4 Jory C. Garabedian, Esq.
5 Nevada Bar No. 10352
6 7785 W. Sahara Ave., Suite 200
7 Las Vegas, NV 89117
8 (702) 637-2345; Fax: (702) 946-1345
9 jgarabedian@wrightlegal.net

10 *Attorneys for Defendants Paul M. Donofrio & Bank of America, N.A.*

11
12 **UNITED STATES DISTRICT COURT**
13
14 **DISTRICT OF NEVADA**

15 DOLLIE MCDONALD,

16 Plaintiff,

17 vs.

18 PAUL M. DONOFRIO, individually and in his
19 official capacity, and BANK OF AMERICA, as
20 Successor in interest to COUNTRYWIDE
21 HOME LOANS, INC. and COUNTRYWIDE
22 BANK, FSB, BAC HOME LOANS
23 SERVICING, LP FKA COUNTRYWIDE
24 HOME LOANS SERVICING, LP

25 Defendants.

Case No.: 2:21-cv-01892-GMN-BNW

26 **MOTION TO EXTEND DEADLINE TO**
27 **RESPOND TO FIRST AMENDED**
28 **COMPLAINT**

(First Request)

22 Defendants Paul M. Donofrio and Bank of America, N.A. (“Defendants”), by and through
23 their undersigned attorneys of record, hereby submit the instant Motion to Extend Deadline to
24 Respond to First Amended Complaint. This is the first request for an extension of time.
25 Defendants respectfully submits that good cause exists for a short four-day extension to the
26 respond the First Amended Complaint through January 20, 2023.

27 On December 19, 2022, Defendants and Plaintiff Dollie McDonald (“Plaintiff”) entered
28 into a Stipulation for Leave to File First Amended Complaint with Response Deadline. (ECF No.

34). The stipulation provided for a response deadline of January 16, 2023. The Court approved and entered an Order on this stipulation on December 20, 2022. (ECF No. 35).

Due to an oversight by undersigned Defendants' counsel, the January 16 deadline falls on the Martin Luther King, Jr. holiday. This Court and Defendants' counsel's firm is closed in observance of this holiday.

In addition, undersigned Defendants' counsel has experienced some unexpected interruptions with his work schedule over the last two weeks. Defendants' counsel had a death in the family causing unexpected travel to Oregon the week of December 26. In addition, Defendants' counsel's entire household came down with the flu that caused interruptions with his work schedule the week of January 2. Defendants' counsel has been catching up on matters from these unexpected interruptions.

On January 12, 2023, Defendants' counsel sent Plaintiff e-mail correspondence requesting an extension through January 20, 2023, in light of these circumstances. Defendants' counsel has not yet received a response to this request and is filing this motion before the January 16 holiday in an abundance of caution.

Based upon the foregoing, Defendants respectfully request that the Court grant an extension to respond to the First Amended Complaint through January 20, 2023, which is a short four-day extension. This extension is being requested in good faith and is not for purposes of delay or prejudice to any other party.

DATED this 13th day of January, 2023.

WRIGHT, FINLAY & ZAK, LLP

/s/ Jory C. Garabedian

Jory C. Garabedian, Esq.

Nevada Bar No. 10352

7785 W. Sahara Avenue, Suite 200

Las Vegas, NV 89117

Attorneys for Defendant, Paul M. Donofrio & Bank of America, N.A.

ORDER

For good cause shown, IT IS ORDERED that ECF No. 37 is GRANTED.

IT IS SO ORDERED

DATED: 5:01 pm, January 17, 2023



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b) and Electronic Filing Procedure IV(B), I certify that on 13th day of January, 2023, a true and correct copy of the **MOTION TO EXTEND DEADLINE TO RESPOND TO FIRST AMENDED COMPLAINT (First Request)** was transmitted electronically through the Court's e-filing electronic system to the attorney(s) associated with this case, addressed as follows:

Dollie McDonald dollieinvegas@yahoo.com

/s/ Erica Baker

An Employee of WRIGHT, FINLAY & ZAK, LLP